

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,)	
)	
and)	
)	
STATE OF NEW YORK,)	
)	
<i>Plaintiffs,</i>)	
)	Civil Action No.
v.)	12-cv-8989 (ALC) (GWG)
)	
TWIN AMERICA, LLC, et al.)	ECF CASE
)	
<i>Defendants.</i>)	
)	

JOINT STATUS REPORT REGARDING REOPENED LIMITED DISCOVERY

Pursuant to the parties' commitment to advise the Court of the parties' progress in completing this limited discovery by June 30, 2014, Plaintiffs United States of America and State of New York (collectively, "Plaintiffs") and Defendants Coach USA, Inc. and International Bus Services, Inc. (collectively, the "Coach Defendants") submit this joint status report.

1. On April 28, 2014, the Court received an anonymous email (the "Anonymous Email") sent to Judge Carter's email address. As the Parties previously informed the Court, Plaintiffs subsequently received materials from a non-party that, taken together with the allegations in the Anonymous Email, raised questions about whether there is relevant information that was not previously disclosed or produced during discovery by the Coach Defendants and whether document preservation obligations were met by the Coach Defendants.

2. In light of these developments, Plaintiffs and the Coach Defendants jointly moved the Court on May 29, 2014 to reopen discovery for the limited purpose of investigating these issues (see Joint Motion to Reopen Limited Discovery, Docket No. 56). On May 30, 2014, the

Court granted Plaintiffs' and the Coach Defendants' Joint Motion to Reopen Limited Discovery for the purpose of investigating the allegations in the Anonymous Email, including whether relevant information has been produced and preserved by the Coach Defendants (see Order granting Joint Motion for Limited Discovery, Docket No. 57). Plaintiffs and Coach Defendants promised to provide the Court with a status report regarding this additional, limited discovery by June 30, 2014.

3. Discovery relating to these issues is following five general tracks. First, Plaintiffs and the Coach Defendants have served document requests and interrogatories on one another, the responses to which are due in early July.

4. Second, on June 3, 2014, Plaintiffs noticed the depositions of four current Information Technology employees of Coach USA. These employees will not be represented by counsel for the Coach Defendants. Plaintiffs are currently working with counsel for each of these employees to schedule the depositions.

5. Third, on June 25, 2014, the Coach Defendants served deposition subpoenas on two former Information Technology employees of Coach USA.

6. Fourth, Plaintiffs have obtained 87 Coach backup tapes from a non-party. Plaintiffs are working with Coach Defendants and an outside IT vendor to process the tapes to determine whether they contain responsive documents that were not previously produced to Plaintiffs. Preliminary assessment of these backup tapes indicates that some of them contain documents from relevant custodians for relevant time periods, but it is not yet clear whether they contain any relevant, responsive documents that were not already produced by the Coach Defendants.

7. Fifth, Coach Defendants have conducted further searches and are reviewing additional computer tapes, some of which may be backup tapes, to determine whether they contain relevant materials that were not previously produced to Plaintiffs.

8. The parties propose to advise the Court of the parties' progress in completing this limited discovery by September 26, 2014.

Dated: June 30, 2014

Respectfully submitted,

/s

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CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the Joint Status Report Regarding Reopened Limited Discovery to be served via the Court's ECF System upon the following Parties:

For Defendants Twin America, LLC, CitySights LLC, and City Sights Twin, LLC:

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Dated: June 30, 2014

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